

To: Rick Merrifield & Vivian Nelson, Santa Barbara County Environmental Health Services
From: Kira Redmond, Executive Director, Santa Barbara Channelkeeper
Date: October 30, 2007
Re: Food Facility Inspections and Storm Water Concerns

This purpose of this memo is to lay out Santa Barbara Channelkeeper's concerns regarding Environmental Health Services' (EHS) Food Facility Inspection program. Based on our review of the program's scope and the inspection checklist, Channelkeeper believes that the program is too narrowly focused such that it fails to ensure that appropriate Best Management Practices (BMPs) are in place at food facilities to prevent the discharge of polluted wastewater from food facilities to the County's storm sewer system. Unfortunately, Channelkeeper witnesses illegal discharges from food facilities throughout Santa Barbara County on a far too regular basis, indicating that this is a widespread problem that County officials need to do a better job of addressing.

As you know, the NPDES General Permit for Discharges of Storm Water from Municipal Separate Storm Sewer Systems (General Permit) requires the County of Santa Barbara to, among others, develop and implement a plan to detect and address non-storm water discharges, including illegal dumping, to the system, and to inform public employees, businesses and the general public of the hazards that are generally associated with illegal discharges and improper disposal of waste. This includes wastewater and oil and grease from restaurants and other food service establishments.

Santa Barbara County is also subject to Attachment 4 of the General Permit, which applies to areas subject to high growth or serving populations of at least 50,000. Attachment 4 requires, among others, that discharges shall not cause or contribute to an exceedence of water quality standards, and that restaurants comply with the following design standards (the following list is not complete but quotes relevant parts): minimize stormwater pollutants of concern; provide storm drain stenciling and signage; properly design outdoor material storage areas; properly design trash storage areas; properly design equipment/accessory wash areas; and provide proof of ongoing BMP maintenance.

The County of Santa Barbara is now legally bound by its Storm Water Management Program (SWMP), implemented pursuant to the General Permit, and its recently adopted stormwater discharge ordinance, to effectively prohibit non-storm water discharges into its storm sewer system. The County's SWMP identifies gray water from food service facility cleaning, grease, oil and hazardous cleaning agents from cooking equipment, grease traps and restaurant dumpsters to be potential sources of illicit discharges. The County's SWMP states that "EHS has expanded their normal inspection techniques to include storm water management activities. For example, it is a violation to wash restaurant floor mats or dispose of washwater outside where it would

discharge into the storm drain system." The first Annual Report recently submitted to the Regional Water Quality Control Board claims that EHS will continue through its restaurant inspections to ensure proper disposal of commercial wastes.

However, based on our review of the currently used Inspection Report and conversations with staff, Channelkeeper finds that the existing EHS food facility inspection checklist and protocols do not adequately fulfill the above legally binding mandates, nor are they adequately addressing one of the most common sources of pollution to the County's storm sewer system. Simply looking around the perimeter of the facility for wet spots during a routine inspection is not sufficient. Food facility managers and staff need to be educated about the types of practices that can cause water pollution and be informed of the County's legal requirements that they implement BMPs to prevent the discharge of pollutants to the storm sewer system.

Channelkeeper therefore strongly urges you to supplement your existing inspection program with additional efforts to ensure that food facilities are implementing all necessary BMPs in order to prevent the discharge of pollutants to the storm sewer system. This could be done by adding a supplemental checklist to the existing Inspection Report such as that used by Monterey area cities; a copy is enclosed for your review. Project Clean Water has developed a list of BMPs that could also be transformed into a checklist; that list is enclosed as well. EHS could work with Project Clean Water to implement a food facility water pollution education and inspection program similar to that being implemented by the City of Santa Barbara; a description of their program is also enclosed.

These are just a few of many existing programs that Santa Barbara County could draw from to better control a major source of pollution to the County's storm sewer system, but it is essential that EHS supplement the existing food facility inspection program such that it adequately addresses the all-too-common stormwater management and pollution control problems from food facilities throughout the County. Failure to do so would constitute a violation of the General Permit, the County's SWMP and its recently implemented stormwater discharge control ordinance.

Channelkeeper would be happy to lend our assistance to the County in strengthening its food facility inspection program such that it meets these legal requirements and the higher standards set by similarly situated communities like Monterey or the City of Santa Barbara.

Thank you for your attention to this important matter; I look forward to hearing from you soon.

Cc: Salud Carbajal, First District Supervisor
Janet Wolf, Second District Supervisor
Rob Almy, Water Agency Manager
Cathleen Garnand, Project Clean Water Civil Engineer